

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

<b>RITA CUMMINGS,</b>	)	
	)	
Plaintiff,	)	
	)	
V.	)	Civil No. <b>07-752-MJR</b>
	)	
<b>MATT WITT, et al.,</b>	)	
	)	
Defendants.	)	

**ORDER**

**PROUD, Magistrate Judge:**

Before the Court is defendants Witt, Wagner, Lawson, Blackorby and the City of Jerseyville's motion to stay discovery pending ruling on their motion to dismiss the amended complaint. **(Doc. 13)**.

A review of the record reveals that this case has not been "tracked," meaning that Judge Reagan has yet to set a trial date and trigger the scheduling and discovery process.

**IT IS THEREFORE ORDERED** that the subject motion **(Doc. 13)** is **DENIED AS PREMATURE**.

**IT IS SO ORDERED.**

**DATED: December 27, 2007**

s/ Clifford J. Proud  
**CLIFFORD J. PROUD**  
**U. S. MAGISTRATE JUDGE**